

Application No. 09/527,137
Amendment "A" dated April 20, 2004
Reply to Office Action mailed February 25, 2004

REMARKS

The first Office Action, mailed February 25, 2004, considered claims 1-78. Claims 1-78 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Williams (U.S. Patent No. 6,157,411) in view of Sampal (U.S. Patent No. 5,557,724)¹.

By this paper, claims 1-20, 23-51, 54-56, 58-69, 72 and 74-78 have been amended, while claims 21-22, 52-53, 57, 70-71 and 73 have been cancelled and while new claims 79-83 have been added.² Accordingly, claims 1-20, 23-51, 54-56, 58-69, 72 and 74-83 now remain pending, of which claims 1 and 43 are the independent claims at issue.

Claim 1 is directed to a method for interfacing EPG loaders that are configured to receive EPG data with a database. As recited, the method includes receiving, at each of the EPG loaders, EPG data from a different EPG data source and collecting the EPG data from the EPG loaders at a writer module. Thereafter, upon determining at the writer module that there is a conflict in the EPG data received from the EPG data sources, resolving the conflict according to conflict resolution criteria.

Various embodiments for resolving conflicts and corresponding conflict resolution criteria are recited in new claims 79-83. Finally, the method recited in claim 1 also includes calling a function of the writer module to store the EPG data in a database accessible by the device through the execution of a function by the writer module.

The only other independent claim at issue, claim 43 comprises a computer-readable medium having computer-executable instructions for implementing the method recited in claim 1.

The primary reference, Williams generally teaches of a method and apparatus for compiling a repository of entertainment system data from multiple sources. (Title). As disclosed, entertainment system data is received by a parser from various sources and in different formats. (Col. 5, ll. 62-64). The parser then translates and the data into a unitary format,

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Support for the new dependent claims and the amendments to claim 1 is found in the specification in the paragraph beginning on line 13 of page 17, as well as throughout the specification. Support for the amendments to claims 2-78 is found on pages 21-29. Essentially, the amendments to the various dependent claims involved replacing function calls by name with corresponding descriptions.

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presumably prior to storing it in a database. (Col. 5, ll. 64-67). A data engine 206 and query interface 208 then enable access to the database data. (Col. 6, ll. 6-27).

Although Williams discloses that entertainment data can be received from a plurality of sources, Williams does not disclose that different EPG loaders each receives data from a different source, wherein the data is collected at a writer module, and wherein upon determining that there is a conflict in the EPG data, the conflict is resolved according to conflict resolution criteria, as claimed, particularly in combination with writing the EPG data to the database through a writer module. Williams also fails to disclose methods for resolving conflicts between EPG data received at different EPG loaders by assigning priorities to the EPG loaders, or in any of the other ways recited in the new dependent claims 79-83. In fact, Williams fails to even acknowledge that a conflict may exist between the data received from different sources. For at least these reasons, Williams neither anticipates nor makes obvious the pending claims.

Williams is also distinguished from the pending claims for failing to disclose that the data obtained from the various sources can be EPG data, as claimed. The Examiner has acknowledged this, but has taken Official Notice that "gathering data from plural sources and displaying in an EPG is well known." Applicants respectfully request, however, in order to prevent this assertion from being construed to broadly, that the Examiner provide a prior art reference showing this teaching. This way, Applicants will have a fair opportunity to respond, in context, to any future rejection that may be based on this assertion, particularly if such a rejection relies on a combination of references that may not be obvious to combine.

The cited disclosure in the secondary reference, Sampat, also fails to teach or suggest the recited claim elements for receiving EPG data, interfacing EPG loaders with a database, and resolving EPG data conflicts, either alone or in combination with Williams. In fact, the two paragraphs referenced in Sampat were merely cited for the proposition that "Sampat teaches loading functions from modules enabling execution of the functions". OA page 2.

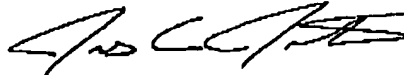
Accordingly, for at least the foregoing reasons, Applicants respectfully submit that the pending claims 1-20, 23-51, 54-56, 58-69, 72 and 74-83 are distinguished from the art of record and are now in condition for prompt allowance.

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In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 20 day of April 2004.

Respectfully submitted,



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